

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.08.2016

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THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.15155 of 2016

S.Saleemabevee

... Petitioner

Vs

1.The Superintendent of Police,
Cuddalore District,
Cuddalore.

2.The Deputy Superintendent of Police,
Nellikuppam Range,
Cuddalore District.

3.The Deputy Superintendent of Police,
Anti Land Grabbing Special Cell,
Cuddalore.

4.The Inspector of Police,
Nellikuppam Police Station,
Cuddalore.

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondents to register the case on the petitioner's complaint dated 29.04.2015 and consequently, direct the 2nd respondent to investigate the same in accordance with law by appreciating the abovestated facts and circumstances.

For Petitioner : Mr.M.Guruprasad
For Respondents : Mr.C.Emalias, APP

ORDER

This petition has been filed to direct the 2nd respondent to register the case on the petitioner's complaint dated 29.04.2015.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor appearing for the respondents and perused the materials placed on record.

3. It is the case of the petitioner that when she was abroad, one Soundarajan had set up her sister Noorjahan and had registered the petitioner's property in his name on 28.04.2010. In this regard, the opposite party Soundarajan had filed CrI.OP.No.18958 of 2015 for a direction to the Inspector of Police, Nellikuppam Police Station to conduct enquiry on his complaint dated 27.02.2015, in which, this Court by order dated 24.08.2015, directed the Nellikuppam Police to conduct enquiry in accordance with law, following the decision laid down by the Hon'ble Supreme Court in *Lalita Kumari Vs. Government of Uttarpradesh and Others* reported in [2014] 2 SCC 1. In the meanwhile, the complaint given by the petitioner was enquired into and the Deputy Superintendent of Police had directed the Nellikuppam Police to conduct enquiry.

4. Since the allegation relates to land grabbing, this Court is of the view that this is not a fit case to be enquired by the Nellikuppam Police.

5. Under such circumstances, the petitioner is directed to give a fresh complaint giving full details, as the complaint dated 29.04.2015, in which, the petitioner has not given any details for the respondent Police to conduct enquiry. Taking into consideration the nature of allegations, liberty is given to the petitioner to go in person and lodge a fresh complaint giving all the details of various dates and documents to the 3rd respondent and on such complaint being given, the 3rd respondent Police is directed to conduct fresh enquiry and take action in accordance with law.

With the above direction, this petition is closed.

22.08.2016

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To

1.The Superintendent of Police,
Cuddalore District, Cuddalore.

2.The Deputy Superintendent of Police,
Nellikuppam Range, Cuddalore District.

3.The Deputy Superintendent of Police,
Anti Land Grabbing Special Cell,
Cuddalore.

4.The Inspector of Police,
Nellikuppam Police Station,
Cuddalore.

5.The Public Prosecutor,
High Court, Madras.

P.N.PRAKASH, J.
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